IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION Nos. 4055, 4057, 4059 & 4060
of 1997

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgement? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

AKBARKHA RAHEMATKHA

Versus

JAMIYATKHA AJAMKHA Q

Appearance:

MR BM MANGUKIYA for Petitioners

MS KHYATI P HATHI for Respondent No. 1

MR KH BAXI for Respondent No. 2

NOTICE SERVED for Respondent No. 3

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 08/04/2004

COMMON ORAL JUDGEMENT

The petitioners have been elected as members of the Budhna Gram Panchayat on 2nd March 1997. They filed respective Election Petitions before the District Court, Bhavnagar, wherein on 21st April 1997, the learned District Judge permitted recounting of votes, however, the said order was stayed upto 7th June 1997 and the petitions were preferred by the petitioners.

2. While issuing notice, this Court on 6th June 1997 granted ad-interim relief and when the matter was admitted on 14th November 1997, the ad-interim relief was treated as interim relief.

3. The term of the Panchayat is five years and the same is over in 2002 and therefore, these petitions have become infructuous. Therefore, these four petitions are dismissed as having become infructuous. Interim relief shall stand vacated. Rule is discharged. No order as to costs.

(K.S. Jhaveri, J.)

Sreeram.